

REMARKS

Applicant has reviewed and considered the Office Action dated May 3, 2001. In response thereto, claims 8 and 21 are amended. As a result, claims 8, 20, and 21 are pending in the present application, reconsideration of the present application is respectfully requested.

Claims 8, 20, and 21 are rejected under 35 U.S.C. 102(b) as set forth in the Office Action dated May 3, 2001.

Claim 8 recites a plant pot including a pot body, the pot body having side walls and a bottom wall, and at least one leg, the at least one leg having side walls and a bottom wall. The first end of the at least one leg connected to the bottom wall of the pot body, and at least one hole disposed on the bottom wall of the leg, so that a fluid conduit enabling fluid communication to and from the pot body and exiting from the proximate to the second end of the leg. " the fluid absorbing material can not drop out from the second end of the at least one leg." has been canceled. However agree or not, or however claim or not, it is the fact that the fluid absorbing material can not drop out from the second end of the at least one leg. It had been shown in figures in original application.

Carlson illustrates a planter having a pot body and a false bottom, the pot body having side wall and bottom wall, a leg build into said false bottom, the false bottom with the leg standing inside of the pot body, or say standing on the pot bottom. In the present invention, the legged pot having a pot body, the pot body having side walls and a bottom wall, at least one leg build into the bottom wall of the pot body, no false bottom appeared in the present invention. Clearly, the present invention is different compare with the Carlson's planter. If say looks like, the Carlson's planter looks more likes Eliza Hall's

" improved flower pot or similar vessel"(No: 22,647, United Kingdom 1912)

Moskowitz disclose: "..... a pedestal 22 having three legs 24 arrayed in the sharp of a Y. The legs 24 of the pedestal are hollow and thereby provide an interconnected chamber connecting with the hollow pot for dirt and plant roots to grow therein."(column 2, lines 44-48). Moskowitz also claim: "..... a hollow pedestal retaining at least a portion of the plant roots within the base section said pedestal being in the shape of a Y." (column 3, lines 66-67 to column 4, line 1-2). Obviously, the structure and function of pedestal that Moskowitz claimed and disclosed are different compare with the leg of the present invention. The function of the pedestal that Moskowitz disclose and claim is to let roots to grow therein. Clearly, the roots still will be damaged by water because " a hollow pedestal retaining at least a portion of the plant roots within the base section " (Moskowitz claimed so). Actually, Moskowitz still does not solve the overwatering problem that he wants to. That is because the "at least a portion of the plant roots" still stay in the water level in the pedestal in the tray. In present invention, plant roots can rarely grow down to the bottom of the leg; even so, in a co-pending application (S/N 09/599,103), Applicant still try to block roots grow down to the lower level of the leg (or say water level in tray) to avoid the roots damaged by water in the tray.

In the French patent (patent number:649568), the leg having a supportor 17 supportes a board, the pot sites on the board, a hole disposed in the center of the board, the up portion of the leg through the board hole then insert into a center bottom hole of the pot. Clearly, the structure of the French pot apparatus is different compare with the present invention.

Therefore, Applicant respectfully submits that claim 8 patentably distinguishes

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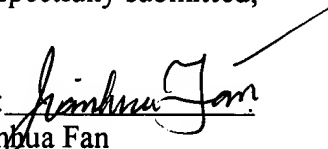
over Carson, Moskowitz, and French. Claims 20 and 21, which are dependent from claim 8, are also patentable.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at (615)356-3211.

Respectfully submitted,

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Date: August 11, 2001

47/80

47-80
344-38.3

A.D. 1912. OCT. 4. N° 22,647.
HALL'S COMPLETE SPECIFICATION.

(1 SHEET)

[This Drawing is a reproduction of the Original on a reduced scale]

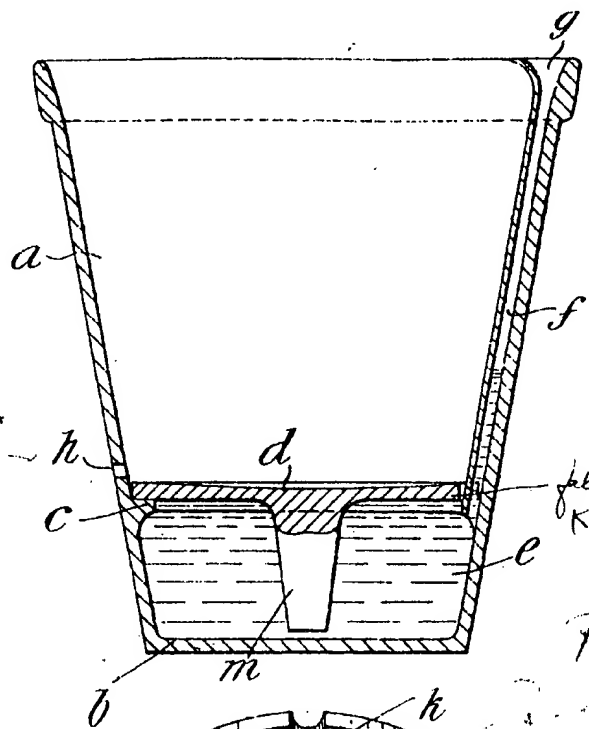


Fig. 1.

see bottom with
Notch K

Porous

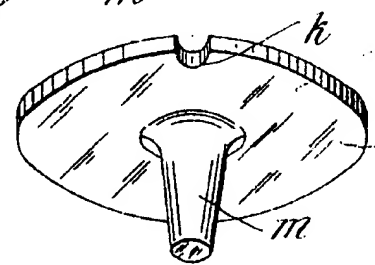


Fig. 2.

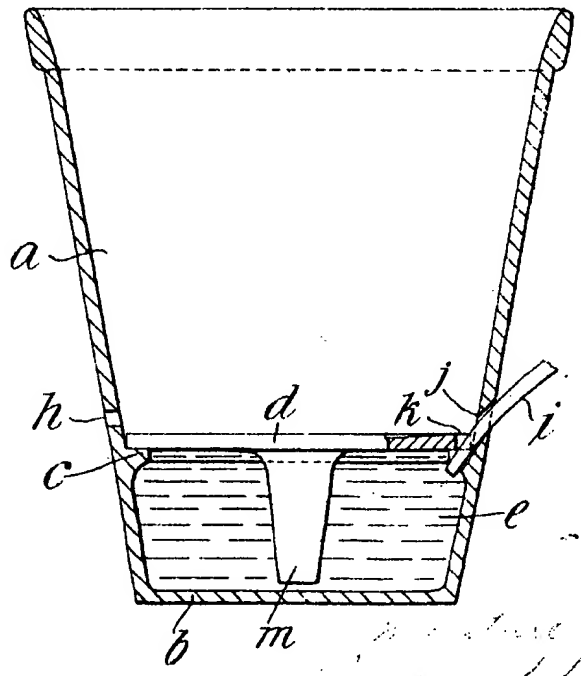


Fig. 3.



N^o 22,647



A.D. 1912

Date of Application, No. 22,647, 4th Oct., 1912

" " No. 23,766, 17th Oct., 1912

Complete Specification Left, 17th Mar., 1913

(Section 16 of the Patents and Designs Act, 1907.)

Complete Specification Accepted, 28th Aug., 1913

PROVISIONAL SPECIFICATION.

No. 22,647, A.D. 1912.

An Improved Flower Pot or similar Vessel.

I, ELIZA HALL, Widow, of The Hollies, Coombe Lane, Cottenham Park, Wimbledon, Surrey, do hereby declare the nature of this invention to be as follows:—

My improved flower pot or similar vessel is formed or provided with a jacket
5 at the bottom or side to constitute a water space, the water passing thereinto through a pipe or passage communicating from the top of the pot or vessel through the side or wall thereof into the said jacket or space. The interior of the pot may be perforated, or the porous nature of same will permit the moisture to penetrate to the roots of the flower or plant.

10 Dated the 4th day of October, 1912.

ELIZA HALL.

PROVISIONAL SPECIFICATION.

No. 23,766, A.D. 1912.

An Improved Flower Pot or similar Vessel.

15 I, ELIZA HALL, Widow, of The Hollies, Coombe Lane, Cottenham Park, Wimbledon, London, S.W., do hereby declare the nature of this invention to be as follows:—

My invention relates to pots or vessels for growing plants and has connection with the invention in my prior Application for Patent No. 22,647, dated
20 4th October 1912.

The primary object of my invention is to produce a flower or plant pot such that a reserve reservoir or supply of water is contained within the pot or vessel in such a way that the moisture is attracted and conveyed to the roots of the plant so as to materially increase and nourish the growth.

25 The pot or vessel may be of the usual tapering variety. At a suitable distance from the bottom I form same with an interiorly projecting flange, lip or lugs. A plate, disc or false bottom rests upon the flange or lugs aforesaid so that a water space or reservoir between it and the bottom of the pot is provided communicating with the exterior of the pot by a pipe or channel in or adjacent
30 to the body of the pot in conjunction with a suitable opening or openings for

[Price 8d.]